

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(Crl.).No. 7 of 2007(S)

PETITIONER:

**MOHAMMED SHAFI, S/O. ABDUL RAHIM,
42/1358A, ST.BENEDICT ROAD, (WEST END)
KOMBARA, ERNAKULAM.**

BY ADV. SRI.DILIP MOHAN

RESPONDENTS:

- 1. STATE OF KERALA, REP. BY THE CHIEF
SECRETARY TO GOVT., TRIVANDRUM.**
- 2. DIRECTOR GENERAL OF POLICE, TRIVANDRUM.**
- 3. COMMISSIONER OF POLICE, ERNAKULAM CITY.**
- 4. ASSISTNT COMMISSIONER OF POLICE,
ERNAKULAM.**
- 5. STATION HOUSE OFFICER,
CENTRAL POLICE STATION, ERNAKULAM.**
- 6. CIRCLE INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.**
- 7. KHAIS KHAN @ BIRJADE ABID, IQUBAL MANZIL,
KALYAN CITY,KALYAN, MUMBAI, TELE: 098672 922856.**

BY GOVT. PLEADER SRI.P.A.SALIM

**THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

J.B. Koshy & K.P.Balachandran, JJ.

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JUDGMENT

Koshy, J.

The alleged detainee was present. She stated that she is not in illegal custody and the seventh respondent has married her and they were in Bombay. The marriage was under the Muslim rites. The father of the alleged detainee was present. He also agreed for the same. It is submitted that the parents of the seventh respondent are now working in Abudhabi and the seventh respondent will look after the alleged detainee, his wife with love and care, allow to continue her studies according to her wishes, etc. In the above circumstances, since the girl is traced out, there is no necessity to proceed with the man missing case any further.

Since the alleged detainee, an educated girl over the age of 18, stated that she is not under

illegal custody, this Habeas Corpus petition is dismissed.

(J.B.Koshy, Judge)

19th January, 2007

(K.P.Balachandran, Judge)

tkv